

Recreation Area in accordance with section 100502 of title 54, United States Code.

SEC. 1755. BOUNDARY SURVEY.

The Secretary (acting through the Director of the National Park Service) shall prepare a boundary survey and legal description of the National Recreation Area.

SA 4170. Mr. MARKEY submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title XII, add the following:

SEC. 1253. COUNTERING CHINA'S PROLIFERATION OF BALLISTIC MISSILES AND NUCLEAR TECHNOLOGY TO THE MIDDLE-EAST.

(a) MTCR TRANSFERS.—Not later than 30 days after the date of the enactment of this Act, the President shall submit to the appropriate committees of Congress a written determination, and any documentation to support that determination detailing—

(1) whether any foreign person in China knowingly exported, transferred, or engaged in trade of any item designated under Category I of the MTCR Annex to any foreign person in the previous three fiscal years; and

(2) the sanctions the President has imposed or intends to impose pursuant to section 11B(b) of the Export Administration Act of 1979 (50 U.S.C. 4612(b)) against any foreign person who knowingly engaged in the export, transfer, or trade of that item or items.

(b) CHINA'S NUCLEAR FUEL CYCLE COOPERATION.—Not later than 30 days after the date of the enactment of this Act, the President shall submit to the appropriate committees of Congress a report detailing—

(1) whether any foreign person in China engaged in cooperation with any other foreign person in the previous three fiscal years in the construction of any nuclear-related fuel cycle facility or activity that has not been notified to the IAEA and would be subject to complementary access if an Additional Protocol was in force; and

(2) the policy options required to prevent and respond to any future effort by China to export to any foreign person an item classified as “plants for the separation of isotopes of uranium” or “plants for the reprocessing of irradiated nuclear reactor fuel elements” under Part 110 of the Nuclear Regulatory Commission export licensing authority.

(c) FORM OF REPORT.—The determination required under subsection (a) and the report required under subsection (b) shall be unclassified with a classified annex.

(d) DEFINITIONS.—In this section:

(1) The term “appropriate committees of Congress” means—

(A) the Select Committee on Intelligence of the Senate;

(B) the Committee on Foreign Relations of the Senate;

(C) the Select Committee on Intelligence of the House of Representatives; and

(D) the Committee on Foreign Affairs of the House of Representatives.

(2) FOREIGN PERSON; PERSON.—The terms “foreign person” and “person” mean—

(A) a natural person that is an alien;

(B) a corporation, business association, partnership, society, trust, or any other non-governmental entity, organization, or group,

that is organized under the laws of a foreign country or has its principal place of business in a foreign country;

(C) any foreign governmental entity operating as a business enterprise; and

(D) any successor, subunit, or subsidiary of any entity described in subparagraph (B) or (C).

SA 4171. Mr. MARKEY submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XV, add the following:

SEC. 1548. LIMITATION ON USE OF FUNDS FOR GROUND-BASED STRATEGIC DETERRENT PROGRAM AND W87-1 WARHEAD MODIFICATION PROGRAM.

(a) FINDINGS.—Congress finds the following:

(1) According to the Congressional Budget Office, the projected cost to sustain and modernize the United States nuclear arsenal, as of 2017, “is \$1.2 trillion in 2017 dollars over the 2017–2046 period: more than \$800 billion to operate and sustain (that is, incrementally upgrade) nuclear forces and about \$400 billion to modernize them”. With inflation, the cost rises to \$1,700,000,000,000 and does not include the cost of the additional nuclear capabilities proposed in the 2018 Nuclear Posture Review.

(2) Maintaining and updating the current Minuteman III intercontinental ballistic missiles is possible for multiple decades and, according to the Congressional Budget Office, through 2036, this would cost \$37,000,000,000 less in 2017 dollars than developing and deploying the ground-based strategic deterrent program.

(3) A public opinion poll conducted from October 12 to 28, 2020, by ReThink Media and the Federation of American Scientists found that only 26 percent of registered voters in the United States preferred replacing the Minuteman III intercontinental ballistic missile with the ground-based strategic deterrent, as compared to 60 percent of registered voters who opposed replacing the Minuteman III missile.

(b) LIMITATION ON USE OF FUNDS.—None of the funds authorized to be appropriated or otherwise made available for fiscal year 2022 may be obligated or expended for the ground-based strategic deterrent program or the W87-1 warhead modification program until the later of—

(1) the date on which the Secretary of Defense submits to the appropriate congressional committees a certification that the operational life of Minuteman III intercontinental ballistic missiles cannot be safely extended through at least 2050; and

(2) the date on which the Secretary transmits to the appropriate congressional committees the report required by paragraph (3) of subsection (c), as required by paragraph (4) of that subsection.

(c) INDEPENDENT STUDY ON EXTENSION OF MINUTEMAN III INTERCONTINENTAL BALLISTIC MISSILES.—

(1) INDEPENDENT STUDY.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall seek to enter into a contract with the National Academy of Sciences to conduct a study on

extending the life of Minuteman III intercontinental ballistic missiles to 2050.

(2) MATTERS INCLUDED.—The study under paragraph (1) shall include the following:

(A) A comparison of the costs through 2050 of—

(i) extending the life of Minuteman III intercontinental ballistic missiles; and

(ii) deploying the ground-based strategic deterrent program.

(B) An analysis of opportunities to incorporate technologies into the Minuteman III intercontinental ballistic missile program as part of a service life extension program that could also be incorporated in the future ground-based strategic deterrent program, including, at a minimum, opportunities to increase the resilience against adversary missile defenses.

(C) An analysis of the benefits and risks of incorporating sensors and nondestructive testing methods and technologies to reduce destructive testing requirements and increase the service life and number of Minuteman III missiles through 2050.

(D) An analysis and validation of the methods used to estimate the operational service life of Minuteman II and Minuteman III motors, taking into account the test and launch experience of motors retired after the operational service life of such motors in the rocket systems launch program.

(E) An analysis of the risks and benefits of alternative methods of estimating the operational service life of Minuteman III motors, such as those methods based on fundamental physical and chemical processes and non-destructive measurements of individual motor properties.

(F) An analysis of risks, benefits, and costs of configuring a Trident II D5 submarine launched ballistic missile for deployment in a Minuteman III silo.

(G) An analysis of the impacts of the estimated service life of the Minuteman III force associated with decreasing the deployed intercontinental ballistic missiles delivery vehicle force from 400 to 300.

(H) An assessment on the degree to which the Columbia class ballistic missile submarines will possess features that will enhance the current invulnerability of ballistic missile submarines of the United States to future antisubmarine warfare threats.

(I) An analysis of the degree to which an extension of the Minuteman III would impact the decision of Russian Federation to target intercontinental ballistic missiles of the United States in a crisis, as compared to proceeding with the ground-based strategic deterrent.

(J) A best case estimate of what percentage of the strategic forces of the United States would survive a counterforce strike from the Russian Federation, broken down by intercontinental ballistic missiles, ballistic missile submarines, and heavy bomber aircraft.

(K) The benefits, risks, and costs of relying on the W-78 warhead for either the Minuteman III or a new ground-based strategic deterrent missile as compared to proceeding with the W-87 life extension.

(L) The benefits, risks, and costs of adding additional launchers or uploading submarine-launched ballistic missiles with additional warheads to compensate for a reduced deployment of intercontinental ballistic missiles of the United States.

(M) An analysis of whether designing and fielding a new intercontinental ballistic missile through at least 2070 is consistent with the obligation of the United States under Article VI of the Treaty on the Non-Proliferation of Nuclear Weapons done at Washington, London, and Moscow July 1, 1968 (21 UST 483) (commonly referred to as the “Nuclear Non-Proliferation Treaty”) to “pursue